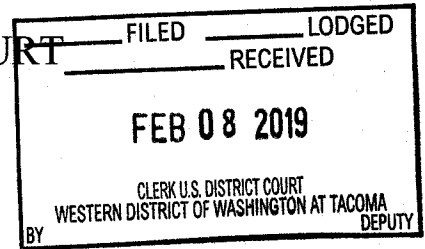


## UNITED STATES DISTRICT COURT

for the

Western District of Washington



## In the Matter of the Search of

(Briefly describe the property to be searched  
or identify the person by name and address)

INFORMATION ASSOCIATED WITH FACEBOOK USER ID 100013885448473;  
100003818697848; 100012861187009; 100009236113817; 100001647003884;  
100004298741492; 100011253728130; 100003748939546; 100015788343863;  
and 100013559616886

Case No. MJ19-5018

## APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

See Attachment A, attached hereto and incorporated herein by reference.

located in the Northern District of California, there is now concealed (identify the person or describe the property to be seized):

See Attachment B, attached hereto and incorporated by reference herein.

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;  
☐ contraband, fruits of crime, or other items illegally possessed;  
☐ property designed for use, intended for use, or used in committing a crime;  
☒ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Code Section  
18 USC § 1073

Offense Description  
Unlawful Flight to Avoid Prosecution

The application is based on these facts:

See Affidavit of FBI Special Agent Terrance G. Postma, attached hereto and incorporated by reference herein.

- ☒ Continued on the attached sheet.  
☐ Delayed notice of \_\_\_\_\_ days (give exact ending date if more than 30 days: \_\_\_\_\_) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

Terrance G. Postma

Applicant's signature

Terrance G. Postma, Special Agent

Printed name and title

Sworn to before me and signed in my presence.

Date: 02/08/2019

David W. Christel

Judge's signature

City and state: Tacoma, Washington

Hon. David W. Christel, United States Magistrate Judge

Printed name and title

**AFFIDAVIT**

STATE OF WASHINGTON )

) ss

COUNTY OF PIERCE )

I, Terrance G. Postma, being first duly sworn, hereby depose and state as follows:

**BACKGROUND**

1. I have been employed as a Special Agent of the FBI since June 2002 and am currently assigned to the Seattle Division's Tacoma Resident Agency. I am responsible for investigations of violent crime, fugitives, and bank robbery. As a federal agent, I am authorized to investigate violations of laws of the United States and to execute warrants issued under the authority of the United States.

2. The facts in this affidavit come from my personal observations, my training and experience, and information obtained from other agents and witnesses. This affidavit is intended to show merely that there is sufficient probable cause for the requested warrant and does not set forth all of my knowledge about this matter.

3. Based on my training and experience and the facts as set forth in this affidavit, there is probable cause to search the information described in Attachment A for the purpose of locating and apprehending Santiago Mederos who has a federal arrest warrant issued in the Western District of Washington for a charge of Unlawful Flight to Avoid Prosecution, Title 18, United States Code, Sections 1073 (MJ16-5179) arising from his flight from the Western District of Washington to avoid charges of murder, as described below. There is also probable cause to search the information described in Attachment A for evidence in the fugitive investigation, as described in Attachment B.

**PURPOSE OF AFFIDAVIT**

4. I make this affidavit in support of an application for a search warrant for information associated with the following Facebook accounts ("Subject Accounts"):

(1) Facebook user ID 100013885448473 (Subject Account 1), registered under the name Anthony Villa, but for the reasons provided below, is believed to belong to Santiago Mederos;

(2) Facebook user ID 100003818697848 (Subject Account 2), registered under the name Toño Gomez, but for the reasons provided below, is believed to belong to Santiago Mederos;

(3) Facebook user ID 100012861187009 (Subject Account 3), registered under the name Antonio Villa, but for the reasons provided below, is believed to belong to Santiago Mederos;

(4) Facebook user ID 100009236113817 (Subject Account 4), registered under the name Alma Arellano, who for the reasons provided below, is believed to have had a relationship with Santiago Mederos;

(5) Facebook user ID 100001647003884 (Subject Account 5), registered under the name Alma Yesi, believed to be the same user as Subject Account 4;

(6) Facebook user ID 100004298741492 (Subject Account 6), registered under the name Alma Arellano, believed to be the same user as Subject Account 4;

(7) Facebook user ID 100011253728130 (Subject Account 7), registered under the name Joni Sebastian Rivaz Mederos, brother of Santiago Mederos;

(8) Facebook user ID 100003748939546 (Subject Account 8), registered under the name Roberto Mederos, who for the reasons provided below, is believed to be used by Roberto Mederos, brother of Santiago Mederos;

(9) Facebook user ID 100015788343863 (Subject Account 9), registered under the name Joni Sebastian Rivaz Mederos, brother of Santiago Mederos; and

(10) Facebook user ID 100013559616886 (Subject Account 10), registered under the name Roberto Mederos, brother of Santiago Mederos.

5. All of the requested information is stored at premises owned, maintained, controlled, or operated by Facebook, a social networking company headquartered in Menlo Park, California. The information to be searched is described in the following

1 paragraphs and in Attachment A. This affidavit is made in support of an application for a  
2 search warrant under 18 U.S.C. §§ 2703(a), 2703(b)(1)(A) and 2703(c)(1)(A) to require  
3 Facebook to disclose to the government records and other information in its possession,  
4 pertaining to the subscriber or customer associated with Subject Accounts 1 through 10.

5 **PRIOR APPLICATIONS**

6 6. A previous application was submitted on November 9, 2018, for all  
7 Subject Accounts, and a warrant was issued the same day under Case No. MJ18-5258.

8 7. A previous application was submitted on July 10, 2018, for all Subject  
9 Accounts, and a warrant was issued the same day under Case No. MJ18-5174.

10 8. A previous application was submitted on February 27, 2018, for all  
11 Subject Accounts, and a warrant was issued the same day under Case No. MJ18-5041.

12 9. A previous application was submitted on November 22, 2017, for all  
13 Subject Accounts, and a warrant was issued the same day under Case No. MJ17-5202.

14 10. A previous application was submitted on September 19, 2017, for all  
15 Subject Accounts, and a warrant was issued the same day under Case No. MJ17-5160.

16 11. A previous application was also submitted on June 13, 2017, for all  
17 Subject Accounts, and a warrant was issued the same day under Case No. MJ17-5108.

18 12. A previous application was also submitted on May 18, 2017, for all  
19 Subject Accounts, and a warrant was issued the same day under Case No. MJ17-5095.

20 13. A previous application was submitted on March 22, 2017, for Subject  
21 Accounts 1, 2, 3, 4, 5, 6, 9, and 10 and a warrant was issued the same day under Case No.  
22 MJ17-5053.

23 14. A previous application was submitted on February 16, 2017, for Subject  
24 Accounts 7, and 8 and a warrant was issued the same day under Case No. MJ17-5031.

25 15. A previous application was submitted on December 30, 2016, for Subject  
26 Accounts 1, 2, 4, and 5 and a warrant was issued the same day under Case No. MJ16-  
27 5240.

16. A new warrant is necessary to capture any new activity on the Subject Accounts.

### SUMMARY OF PROBABLE CAUSE

17. In 2010, Santiago Mederos fled from Tacoma to Mexico after the murder of Camile Love and Jose Lucas. Santiago Mederos has outstanding warrants for the respective murders, and this Court has charged him for violation of Unlawful Flight to Avoid Prosecution, Title 18, United States Code, Sections 1073 on September 30, 2016 under Case No. MJ16-5179.

18. Investigation by law enforcement has revealed that Santiago Mederos has been active on Facebook under various aliases, and he has been in contact with Alma Arellano, who has also used several Facebook accounts. Because evidence of the location of Santiago Mederos, or those in contact with him, would be helpful in the investigation, the government seeks information from the Facebook accounts associated with Santiago Mederos, with Alma Arellano, and with brothers Joni and Roberto Mederos as described below.

### STATEMENT OF PROBABLE CAUSE

## A. SANTIAGO MEDEROS AND THE LOVE AND LUCAS MURDERS

19. On February 7, 2010, TPD responded to the 5900 block of Portland Avenue regarding a shooting. At the scene, TPD officers and detectives discovered that Camile Love was the shooting victim. Love died from the injuries sustained in the shooting. Based on interviews of witnesses and informants who admitted to participation in the shooting, the TPD detectives concluded that Santiago Mederos was the prime suspect in Love's murder and that the shooting was a result of a gang turf war.

20. On March 25, 2010, a homicide occurred within the city of Tacoma. TPD detectives identified the homicide victim as Jose Saul Lucas and identified the prime suspect in his murder as Santiago Mederos. Based on interviews of two witnesses, TPD detectives concluded that Santiago Mederos, a known member of the Eastside Lokotes Sureños (ELS) gang, and four other ELS gang members went to the residence of a rival

1 gang member, Reynaldo Orozco, to collect money. When they could not find the rival  
2 gang member, they broke into and damaged Orozco's car, which was parked at the  
3 residence. When three individuals, who lived with Orozco, realized that the ELS gang  
4 members were vandalizing Orozco's vehicle, they confronted the gang members and a  
5 fight ensued. While attempting to flee the scene, Santiago Mederos and his accomplices  
6 fired a single gunshot, which struck and killed one of Orozco's roommates, Jose Saul  
7 Lucas.

8 21. As a result of their initial investigation, TPD detectives obtained an arrest  
9 warrant for Santiago Mederos for his involvement in the homicide. Further investigation,  
10 to include interviews with witnesses, friends and family members, revealed that Santiago  
11 Mederos is aware that he has a warrant for his arrest and has subsequently gone into  
12 hiding.

13 22. Ashley Rios, a friend of Santiago Mederos, stated in an interview with  
14 TPD detectives that she travelled to Mexico with Santiago Mederos, travelling to his  
15 Aunt's residence in Guerrero, Mexico, shortly after the Lucas murder.

16 23. Efforts to date to locate Santiago Mederos in Mexico have been  
17 unsuccessful.

## 18 B. SUBJECT ACCOUNTS

19 24. The investigation into the whereabouts of Santiago Mederos has revealed  
20 his use of several Facebook profiles as described in more detail below. In summary, it  
21 appears that Santiago Mederos uses Subject Accounts 1 through 3 under various aliases  
22 related to the name Anthony Villa. It appears that Alma Arellano uses Subject Accounts  
23 4 through 6 under her own name or the alias Alma Villa. It appears that Santiago  
24 Mederos's brother, Joni Mederos, uses Subject Accounts 7 and 9 under his own name and  
25 that his brother Roberto Mederos uses Subject Accounts 8 and 10 under his own name  
26 and Roberto Mederos.

27 25. Subject Account 1, registered to Anthony Villa, has one friend listed,  
28 Alma Villa, an alias for Alma Arellano, as described below. In addition, Villa is an alias



1 for Santiago Mederos, based on his maternal family name, Villalva, and Anthony appears  
2 to be an alias for Santiago Mederos, as indicated in the postings on Subject Account 2,  
3 registered to Toño, which is short for Anthony or Antonio.

4       26. Subject Account 2 is believed to belong to Santiago Mederos because at  
5 least one posting has identified the user as "Santiago," even though the account was  
6 previously registered to Toño Villalva. In addition, Subject Account 2 was previously  
7 identified as engaged to "Alma Villa." The user of Subject Account 2 previously listed  
8 himself as engaged to Alma Villa two days after Alma Arellano posted a picture of  
9 herself with Santiago Mederos on Subject Account 4. Finally, the user of Subject  
10 Account 2 identifies himself as from Cuernavaca, near the border of Guerrero, which as  
11 indicated by the interview of Ashley Rios, is where Santiago Mederos first returned to  
12 after fleeing to Mexico.

13       27. Subject Account 3, registered in the name of Antonio Villa, is believed to  
14 belong to Santiago Mederos both because it is registered under a name related to Antonio  
15 Villa or Toño Villalva, the aliases used for Subject Accounts 1 and 2, and because  
16 Subject Account 3 shared a cookie with Subject Account 1. From my training and  
17 experience, I know that cookies are generated by using a particular machine to access a  
18 website or account, and cookies track which machine (which particular phone or tablet or  
19 desktop computer) accessed the account or site. Thus, because Subject Accounts 1 and 3  
20 shared a cookie as indicated in a prior 2703(d) return, I know that somebody logged into  
21 both accounts from the same machine, which indicates that it might be the same person,  
22 or at least that it is a person in the same location as Santiago Mederos.

23       28. Subject Account 4 is registered to Alma Arellano, known to have been  
24 engaged to Santiago Mederos both based on the posting on Subject Account 2 and, as  
25 described below, Subject Account 5. While Subject Account 4 has no pictures visible to  
26 the public, it has only eight friends visible to the public, and one of those is Subject  
27 Account 5, which includes pictures of Alma Arellano.

29. Subject Account 5, registered in the name of Alma Yesi, has posted pictures of Alma Arellano, as indicated by comparing the pictures with pictures of Arellano as confirmed from confidential sources familiar with Arellano. On December 1, 2013, Subject Account 5 uploaded a picture of Alma Arellano and Santiago Mederos holding each other in an intimate embrace. On December 3, 2013, Subject Account 5 posted a message on Subject Account 2 that reads: "<3 I <3 LOVE <3 YOU <3 SANTIAGO <3 Y <3 ALMA <3," further indicating that the actual name of the account user of Subject Account 2 is Santiago Mederos, not Toño Gomez. In addition, Subject Account 5 was registered in the name of Alma Villa, which is believed to be an alias for Alma Arellano since her engagement to Santiago Mederos, who uses the alias of Villa, as described above. On November 16, 2016, the user of Subject Account 5 updated her account by adding a new picture of Alma Arellano. Subject Account 2 commented on the picture by writing, "Preciosaaaa!!....", which is Spanish for "beautiful." In addition, 2 out of 8 of the friends of Subject Account 4 "liked" the picture, but Subject Account 4 did not like it, as one might expect if Subject Account 4 and Subject Account 5 belong to the same person. As revealed through prior search warrant returns, Subject Account 5 has since changed registration to "Alma Yesi."

30. Subject Account 6 is registered in the name of Alma Arellano. In addition to the registration name, as indicated in a prior 2703(d) return, Subject Account 6 shared cookies with Subject Account 2 (believed to belong to Santiago Mederos) and Subject Account 5 (believed to belong to Alma Arellano), which indicates that the user of Subject Account 6 is likely to be Alma Arellano or at least a person in close contact with Santiago Mederos and Alma Arellano.

31. While the current status of the relationship between Arellano and Mederos is unknown to investigators, the user of Subject Account 5 (believed to be Alma Arellano) and the user of Subject Account 2 (believed to belong to Santiago Mederos) used the same unique IP address on November 6, 2018, as law enforcement learned from a prior pen register issued by this Court. As I know from training and experience, an IP



1 address is a unique number for a particular device (like a house address), and so use of  
2 the same IP address by both accounts indicates that the users of the accounts are probably  
3 in close proximity to each other.

4 32. Subject Account 7 is registered under the name "Joni Sebastian Rivaz  
5 Mederos," which is the name of one of the brothers of Santiago Mederos. In addition, the  
6 account is believed to be used by Santiago Mederos. Review of Facebook materials  
7 returned to investigators as a result of this Court's previous order reveal account activity  
8 between Subject Account 7 and an account used by Alma Arellano. For example, on  
9 August 11, 2016, Alma Arellano engaged in an hour-long Facebook chat with a user of  
10 Subject Account 7, believed to be Santiago Mederos. During this discussion, seventeen  
11 photos and/or videos of Alma Arellano were sent to Subject Account 7. One of these  
12 photos is a "selfie" of Alma Arellano's face and the face and chest area of a shirtless  
13 male identified by a confidential human source as Santiago Mederos.

14 33. During the hour-long conversation, the user of Alma Arellano's account  
15 states to the user of Subject Account 7, believed to be Santiago Mederos, "Te amo mi  
16 vida y te lo juro nomas este mes e espero cuando llegues d monte" which roughly  
17 translates to "I love you my life and I swear to you this month sit and wait when you get  
18 there." The response from the user of Subject Account 7 is "Te amo Santiago de mi  
19 vida" which roughly translates to "I love you Santiago of my life".

20 34. Subject Account 8 is registered under the name Roberto Mederos.  
21 Review of Facebook materials returned to investigators as a result of this Courts previous  
22 order reveal a discussion between Subject Account 8 and the user of an account named  
23 "El Chuie" believed used by Jesus Mederos, brother of Santiago Mederos. Until recently,  
24 Jesus Mederos was also wanted for a murder in Tacoma and was believed to be in hiding  
25 in Mexico and in contact with Santiago Mederos, as indicated by Facebook records.  
26 Subject Account 8 is friends with "El Chuie," nickname for Jesus Mederos. On October  
27 11, 2016, "El Chuie" sent a message to Subject Account 8 saying "is your brith day ese"  
28 and Subject Account 8 responds "Yeah 28 years old....." Review of local police

1 department records reveals that the birthdate of Roberto Mederos, brother of Santiago  
2 Mederos, is October 11, 1988.

3 35. On November 4, 2016, "El Chuie" sent Subject Account 8 a message  
4 stating "Orale have you talked to mom and dad." Subject Account 8 responded stating  
5 "Nah I haven't." On December 4, 2016, Subject Account 8 sent a message to "El Chuie"  
6 stating "Yeah foo like I said just send me a name that will go straight to you so I can send  
7 you money. I'll do the same for tiny and mom I just need you guys to keep on pushing  
8 because my time here could end at anytime. I'm trying to stack up just in case something  
9 does ever happen I can just get up and take off with my cash. Like I tell everyone I'm  
10 good I'm not drinking or doing anything dumb I' just working and racking up cash..."  
11 On December 25, 2016, "El Chuie" sent Subject Account 8 a message stating, "Mom  
12 tolled me to tell that she loves you and to stay out of trouble." Thus, it appears that  
13 Subject Account 8 belongs to the brother of Santiago and Jesus Mederos and the user of  
14 the account has been in regular contact with Jesus Mederos, who was recently in hiding  
15 with Santiago Mederos.

16 36. Subject Account 9 is registered under the name Joni Sebastian Rivaz  
17 Mederos, brother of Santiago Mederos. As indicated above, it appears that Joni  
18 Mederos's other Facebook Account, Subject Account 7, has been used by Santiago  
19 Mederos, which indicates that the two are in close communication or contact. In  
20 addition, Facebook results show that Joni Mederos resides in or near Guerrero, Mexico,  
21 the state where Santiago is currently believed to be in hiding.

22 37. Subject Account 10 is registered under the name Roberto Mederos,  
23 brother of Santiago Mederos. The user of Subject Account 10 shared a cookie with  
24 another account registered under the name Roberto Mederos, referenced above. Roberto  
25 Mederos previously identified himself as the brother of Jesus Mederos by reference to the  
26 same mother. The shared cookie between subject Account 10 and Roberto Mederos  
27 indicates that the two users use the same machine and are thus likely the same Roberto  
28 Mederos, brother of Santiago Mederos.

**C. FACEBOOK INFORMATION STORAGE**

38. I am aware from my experience and training, and consultation with other investigators, of the following information about Facebook:

39. Facebook owns and operates a free-access social networking website of the same name that can be accessed at <http://www.facebook.com>. Facebook allows its users to establish accounts with Facebook, and users can then use their accounts to share written news, photographs, videos, and other information with other Facebook users, and sometimes with the general public.

40. Facebook asks users to provide basic contact and personal identifying information to Facebook, either during the registration process or thereafter. This information may include the user's full name, birth date, gender, contact e-mail addresses, Facebook passwords, Facebook security questions and answers (for password retrieval), physical address (including city, state, and zip code), telephone numbers, screen names, websites, and other personal identifiers. Facebook also assigns a user identification number to each account.

41. I know from speaking with other law enforcement that "cookies" are small files placed by a server (such as those used by Facebook) on a device to track the user and potentially verify a user's authentication status across multiple sites or webpages. This cookie could be unique to a particular account (e.g., the Facebook account) or to a given device (e.g., the particular phone used to access the Facebook account). The next time a user visits a particular site or server, the server will ask for certain cookies to see if the server has interacted with that user before. Cookies can also be used to determine "machine cookie overlap," or multiple accounts that have been accessed by the same individual machine (e.g., two Facebook accounts that have been accessed on the same phone). The machine cookie overlap thus allows Facebook to track accounts that are "linked" to each other because the same user account (username on a computer) on the same device accessed multiple Facebook accounts. This can identify either multiple Facebook accounts used by the same person or used by different people

1 sharing the same user account and device. In either case, the machine cookie overlap  
2 means that the users of the linked accounts are the same person or two people in close  
3 proximity to each other.

4 42. Facebook users may join one or more groups or networks to connect and  
5 interact with other users who are members of the same group or network. Facebook  
6 assigns a group identification number to each group. A Facebook user can also connect  
7 directly with individual Facebook users by sending each user a "Friend Request." If the  
8 recipient of a "Friend Request" accepts the request, then the two users will become  
9 "Friends" for purposes of Facebook and can exchange communications or view  
10 information about each other. Each Facebook user's account includes a list of that user's  
11 "Friends" and a "News Feed," which highlights information about the user's "Friends,"  
12 such as profile changes, upcoming events, and birthdays.

13 43. Facebook users can select different levels of privacy for the  
14 communications and information associated with their Facebook accounts. By adjusting  
15 these privacy settings, a Facebook user can make information available only to himself or  
16 herself, to particular Facebook users, or to anyone with access to the Internet, including  
17 people who are not Facebook users. A Facebook user can also create "lists" of Facebook  
18 friends to facilitate the application of these privacy settings. Facebook accounts also  
19 include other account settings that users can adjust to control, for example, the types of  
20 notifications they receive from Facebook.

21 44. Facebook users can create profiles that include photographs, lists of  
22 personal interests, and other information. Facebook users can also post "status" updates  
23 about their whereabouts and actions, as well as links to videos, photographs, articles, and  
24 other items available elsewhere on the Internet. Facebook users can also post information  
25 about upcoming "events," such as social occasions, by listing the event's time, location,  
26 host, and guest list. In addition, Facebook users can "check in" to particular locations or  
27 add their geographic locations to their Facebook posts, thereby revealing their geographic  
28 locations at particular dates and times. A particular user's profile page also includes a

1 “Wall,” which is a space where the user and his or her “Friends” can post messages,  
2 attachments, and links that will typically be visible to anyone who can view the user’s  
3 profile.

4 45. Facebook allows users to upload photos and videos. It also provides users  
5 the ability to “tag” (i.e., label) other Facebook users in a photo or video. When a user is  
6 tagged in a photo or video, he or she receives a notification of the tag and a link to see the  
7 photo or video. For Facebook’s purposes, the photos and videos associated with a user’s  
8 account will include all photos and videos uploaded by that user that have not been  
9 deleted, as well as all photos and videos uploaded by any user that have that user tagged  
10 in them.

11 46. Facebook users can exchange private messages on Facebook with other  
12 users. These messages, which are similar to e-mail messages, are sent to the recipient’s  
13 “Inbox” on Facebook, which also stores copies of messages sent by the recipient, as well  
14 as other information. Facebook users can also post comments on the Facebook profiles  
15 of other users or on their own profiles; such comments are typically associated with a  
16 specific posting or item on the profile. In addition, Facebook has a Chat feature that  
17 allows users to send and receive instant messages through Facebook. These chat  
18 communications are stored in the chat history for the account. Facebook also has a Video  
19 Calling feature, and although Facebook does not record the calls themselves, it does keep  
20 records of the date of each call.

21 47. If a Facebook user does not want to interact with another user on  
22 Facebook, the first user can “block” the second user from seeing his or her account.

23 48. Facebook has a “like” feature that allows users to give positive feedback  
24 or connect to particular pages. Facebook users can “like” Facebook posts or updates, as  
25 well as webpages or content on third-party (i.e., non-Facebook) websites. Facebook  
26 users can also become “fans” of particular Facebook pages.

27 49. Facebook has a search function that enables its users to search Facebook  
28 for keywords, usernames, or pages, among other things.

1        50.        Each Facebook account has an activity log, which is a list of the user's  
2 posts and other Facebook activities from the inception of the account to the present. The  
3 activity log includes stories and photos that the user has been tagged in, as well as  
4 connections made through the account, such as "liking" a Facebook page or adding  
5 someone as a friend. The activity log is visible to the user but cannot be viewed by  
6 people who visit the user's Facebook page.

7        51.        Facebook Notes is a blogging feature available to Facebook users, and it  
8 enables users to write and post notes or personal web logs ("blogs"), or to import their  
9 blogs from other services, such as Xanga, LiveJournal, and Blogger.

10       52.        The Facebook Gifts feature allows users to send virtual "gifts" to their  
11 friends that appear as icons on the recipient's profile page. Gifts cost money to purchase,  
12 and a personalized message can be attached to each gift. Facebook users can also send  
13 each other "pokes," which are free and simply result in a notification to the recipient that  
14 he or she has been "poked" by the sender.

15       53.        Facebook also has a Marketplace feature, which allows users to post free  
16 classified ads. Users can post items for sale, housing, jobs, and other items on the  
17 Marketplace.

18       54.        In addition to the applications described above, Facebook also provides  
19 its users with access to thousands of other applications on the Facebook platform. When  
20 a Facebook user accesses or uses one of these applications, an update about that the  
21 user's access or use of that application may appear on the user's profile page.

22       55.        Some Facebook pages are affiliated with groups of users, rather than one  
23 individual user. Membership in the group is monitored and regulated by the  
24 administrator or head of the group, who can invite new members and reject or accept  
25 requests by users to enter. Facebook can identify all users who are currently registered to  
26 a particular group and can identify the administrator and/or creator of the group.  
27 Facebook uses the term "Group Contact Info" to describe the contact information for the  
28



1 group's creator and/or administrator, as well as a PDF of the current status of the group  
2 profile page.

3 56. Facebook uses the term "Neoprint" to describe an expanded view of a  
4 given user profile. The "Neoprint" for a given user can include the following information  
5 from the user's profile: profile contact information; News Feed information; status  
6 updates; links to videos, photographs, articles, and other items; Notes; Wall postings;  
7 friend lists, including the friends' Facebook user identification numbers; groups and  
8 networks of which the user is a member, including the groups' Facebook group  
9 identification numbers; future and past event postings; rejected "Friend" requests;  
10 comments; gifts; pokes; tags; and information about the user's access and use of  
11 Facebook applications.

12 57. Facebook also retains Internet Protocol ("IP") logs for a given user ID or  
13 IP address. These logs may contain information about the actions taken by the user ID or  
14 IP address on Facebook, including information about the type of action, the date and time  
15 of the action, and the user ID and IP address associated with the action. For example, if a  
16 user views a Facebook profile, that user's IP log would reflect the fact that the user  
17 viewed the profile, and would show when and from what IP address the user did so.

18 58. Social networking providers like Facebook typically retain additional  
19 information about their users' accounts, such as information about the length of service  
20 (including start date), the types of service utilized, and the means and source of any  
21 payments associated with the service (including any credit card or bank account number).  
22 In some cases, Facebook users may communicate directly with Facebook about issues  
23 relating to their accounts, such as technical problems, billing inquiries, or complaints  
24 from other users. Social networking providers like Facebook typically retain records  
25 about such communications, including records of contacts between the user and the  
26 provider's support services, as well as records of any actions taken by the provider or  
27 user as a result of the communications.  
28

1           59.       Therefore, the computers of Facebook are likely to contain all the material  
2 described above, including stored electronic communications and information concerning  
3 subscribers and their use of Facebook, such as account access information, transaction  
4 information, and other account information. I believe such information is likely to help  
5 me locate the fugitive described in this affidavit.

6           **INFORMATION TO BE SEARCHED AND THINGS TO BE SEIZED**

7           60.       I anticipate executing this warrant under the Electronic Communications  
8 Privacy Act, in particular 18 U.S.C. §§ 2703(a), 2703(b)(1)(A) and 2703(c)(1)(A), by  
9 using the warrant to require Facebook to disclose to the government copies of the records  
10 and other information (including the content of communications) particularly described in  
11 Section I of Attachment B. Upon receipt of the information described in Section I of  
12 Attachment B, government-authorized persons will review that information to locate the  
13 items described in Section II of Attachment B.

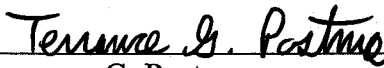
14          61.       As indicated in the Motion for Nondisclosure and Motion to Seal that  
15 accompany this affidavit, the government requests, pursuant to the preclusion of notice  
16 provisions of Title 18, United States Code, Section 2705(b), that Facebook be ordered not  
17 to notify any person (including the subscriber or customer to which the materials relate)  
18 of the existence of this warrant for such period as the Court deems appropriate. The  
19 government submits that such an order is justified because notification of the existence of  
20 this Order would seriously jeopardize the ongoing investigation. Such a disclosure would  
21 give the subscriber an opportunity to destroy evidence, change patterns of behavior,  
22 notify confederates, or flee or continue his flight from prosecution.

23          62.       It is further respectfully requested that this Court issue an order sealing all  
24 papers submitted in support of this application, including the application and search  
25 warrant until such dates as provided in the proposed Order. I believe that sealing this  
26 document is necessary because the items and information to be seized are relevant to an  
27 ongoing investigation. Premature disclosure of the contents of this affidavit and related  
28

1 documents may have a significant and negative impact on the continuing investigation  
2 and may severely jeopardize its effectiveness.

3 **CONCLUSION**

4 63. Based on the forgoing, I request that the Court issue the proposed search  
5 warrant. This Court has jurisdiction to issue the requested warrant because it is "a court  
6 of competent jurisdiction" as defined by 18 U.S.C. § 2711. *See* 18 U.S.C. §§ 2703(a),  
7 (b)(1)(A) & (c)(1)(A). Specifically, the Court is "a district court of the United States . . .  
8 that – has jurisdiction over the offense being investigated." 18 U.S.C. § 2711(3)(A)(i).  
9 Pursuant to 18 U.S.C. § 2703(g), the presence of a law enforcement officer is not  
10 required for the service or execution of this warrant. Accordingly, by this Affidavit and  
11 Warrant, I seek authority for the government to search all of the items specified in  
12 Section I, Attachment B (attached hereto and incorporated by reference herein) to the  
13 Warrant, and specifically to seize all of the data, documents and records that are  
14 identified in Section II to that same Attachment.

15  
16   
17 Terrance G. Postma  
18 Special Agent  
19 Federal Bureau of Investigation

20 The above-named agent provided a sworn statement attesting to the truth of the  
21 contents of the foregoing affidavit on this 8<sup>th</sup> day of February, 2019.

22  
23   
24 HON. DAVID W. CHRISTEL  
25 United States Magistrate Judge  
26  
27  
28

**ATTACHMENT A**

**Property to Be Searched**

This warrant applies to information associated with the following ten accounts, each identified by Facebook user ID ("Subject Accounts"): (1) 100013885448473; (2) 100003818697848; (3) 100012861187009; (4) 100009236113817; (5) 100001647003884; (6) 100004298741492; (7) 100011253728130; (8) 100003748939546; (9) 100015788343863; and (10) 100013559616886, for all such information that is stored at premises owned, maintained, controlled, or operated by Facebook, a company headquartered in Menlo Park, California. This warrant is limited to information created after November 9, 2018.

**ATTACHMENT B**

**Particular Things to be Seized**

**I. Information to be disclosed by Facebook**

To the extent that the information described in Attachment A is within the possession, custody, or control of Facebook, including any messages, records, files, logs, or information that have been deleted but are still available to Facebook, or have been preserved pursuant to a request made under 18 U.S.C. § 2703(f), Facebook is required to disclose the following information to the government for each user ID listed in Attachment A:

**A. The following information about the customers or subscribers of the Subject Accounts:**

- (a) User Neoprint - all user contact and personal identifying information, including full name, user identification number, birth date, gender, contact e-mail addresses, Facebook passwords, Facebook security questions and answers, physical address (including city, state, and zip code), telephone numbers, screen names, websites, and other personal identifiers associated with the current profile information, and all wall postings and messages to and from the user.
- (b) All activity logs for the Subject Accounts and all other documents showing the user's posts and other Facebook activities;
- (c) User photoprint and videos - all photos and videos uploaded, "liked", or tagged by the user, along with all photos uploaded by any user which have the user tagged in them, any associated photos or links to photos in their original format, including all original meta-data or "EXIF" information;

- 1 (d) All profile information; News Feed information; status updates; links to
- 2 videos, photographs, articles, and other items; Notes; Wall postings; friend
- 3 and family lists, including the friend and family Facebook user
- 4 identification numbers; groups and networks of which the user is a member,
- 5 including the groups' Facebook group identification numbers; future and
- 6 past event postings; rejected "Friend" requests; comments; gifts; pokes;
- 7 tags; and information about the user's access and use of Facebook
- 8 applications;
- 9 (e) All other records of communications and messages made or received by the
- 10 user, including all private messages, chat history, calling history, and
- 11 pending "Friend" requests;
- 12 (f) All "check ins" and other location information;
- 13 (g) I.P. Logs - all IP logs showing log-in and log-off and intraconnection I.P.
- 14 activity including I.P. addresses and date/time stamps for account accesses
- 15 as well as account creation I.P. address, date, and time. Provide source port
- 16 information for each I.P. log-in and log-off event for the Subject Accounts;
- 17 (h) All records of the Subject Accounts' usage of the "Like" feature, including
- 18 all Facebook posts and all non-Facebook webpages and content that the
- 19 user has "liked";
- 20 (i) All information about the Facebook pages that each Subject Account is or
- 21 was a "fan" of;
- 22 (j) User Friends List/Information – provide a full list of all past and present
- 23 friends for the Subject Accounts, including all messages and postings
- 24 between accounts and listed friends;
- 25 (k) All records of Facebook searches performed by the Subject Accounts;
- 26 (l) All information about the user's access and use of Facebook Marketplace;
- 27 (m) The types of service utilized by the user;
- 28 (n) The length of service (including start date);



- 1 (o) The means and source of payment for such service (including any credit
- 2 card or bank account number) and billing records;
- 3 (p) All privacy settings and other account settings, including privacy settings
- 4 for individual Facebook posts and activities, and all records showing which
- 5 Facebook users have been blocked by the Subject Accounts;
- 6 (q) All records pertaining to communications between Facebook and any
- 7 person regarding the user or the user's Facebook account, including
- 8 contacts with support services and records of actions taken;
- 9 (r) Names (including subscriber names, Facebook user IDs, and screen
- 10 names);
- 11 (s) Addresses (including mailing addresses, residential addresses, business
- 12 addresses, and e-mail addresses);
- 13 (t) Local and long distance telephone connection records;
- 14 (u) Push Tokens - any unique identifiers that would assist in identifying the
- 15 device(s) associated with the Subject Accounts, including push notification
- 16 tokens associated with the Subject Accounts (including Apple Push
- 17 Notification (APN), Google Cloud Messaging (GCM), Microsoft Push
- 18 Notification Service (MPNS), Windows Push Notification Service (WNS),
- 19 Amazon Device Messaging (ADM), and Baidu Cloud Push, phone
- 20 numbers, IMEI/ESN, serial numbers, instrument numbers), MAC
- 21 addresses, IP addresses, email addresses, and subscriber information;
- 22 (v) Records of session times and durations, and the temporarily assigned
- 23 network addresses (such as Internet Protocol ("IP" addresses) associated
- 24 with those sessions along with time, type, machine (including MAC
- 25 addresses) cookie, city, region, country, device, and browser;
- 26 (w) Facial recognition data;
- 27 (x) Linked accounts;
- 28 (y) Family members associated with the user of each Subject Account;

- 1 (z) Work of the user of each Subject Account;
- 2 (aa) Telephone or instrument numbers or identities (including MAC addresses);
- 3 (bb) Other subscriber numbers or identities (including temporarily assigned
- 4 network addresses and registration IP addresses);
- 5 (cc) User Contact Information – all user contact information input by the user
- 6 including name, birthdate, contact email address(es), other related email
- 7 addresses, address, city, state, zip code, all phone numbers, screen name(s),
- 8 and website information, to include basic subscriber information and
- 9 expanded subscriber information;
- 10 (dd) Group Contact Information – a list of the user’s currently registered groups;
- 11 (ee) Location Information – all information pertaining to location data for the
- 12 Subject Accounts, including but not limited to geo-location data and all
- 13 other geo-tagging or geo-location related information;
- 14 (ff) Device Information – all information pertaining to devices used to upload
- 15 photos, posts, messages, or updates, including but not limited to Apple
- 16 UDID, mobile phone number, mobile device ID numbers, and all other
- 17 information related to the devices;
- 18 (gg) Poke Information – all information pertaining to “pokes” initiated by or
- 19 received by the Subject Accounts;
- 20 (hh) Private Messages – all information pertaining to any and all private
- 21 messages to include content, call logs, and location information for the
- 22 Subject Accounts;
- 23 (ii) Facebook Messenger – all information pertaining to any and all incoming
- 24 and outgoing Facebook messenger text strings and conversations for the
- 25 Subject Accounts; and
- 26 (jj) All other account information including: any “about you” information, ads,
- 27 apps and websites, calls and messages, comments, events, following and
- 28 followers, friends, groups, likes and reactions, location history,

1 marketplace, messages, other activity, pages, payment history, photos and  
 2 videos, posts, profile information, saved items, search history, security and  
 3 login information, and “your places” information.

4 B. All records and other information (not including the contents of communications)  
 5 relating to the Subject Accounts, including:

- 6
- 7 (a) Records of user activity for each connection activity for each connection  
 8 made to or from the Subject Accounts, including log files; messaging logs;  
 9 the date, time, length, and method of connections; data transfer volume;  
 10 user names; and source and destination of Internet Protocol addresses;
- 11 (b) Information about each communication sent or received by the Subject  
 12 Accounts, including the date and time of the communication, the method of  
 13 the communication (such as source and destination email addresses, IP  
 14 addresses, and telephone numbers); and
- 15 (c) Records of any Facebook accounts that are linked to the Subject Accounts  
 16 by machine cookies (meaning all Facebook user IDs that logged into  
 17 Facebook by the same machine or device as each Subject Account).
- 18

19 **II. Information to be seized by the government**

20 All information described above in Section I that relates to the ongoing fugitive  
 21 investigation involving Santiago Mederos, including, for each user ID identified on  
 22 Attachment A, information pertaining to the following matters:

- 23 (a) Any content including e-mails, messages, texts, photographs (including  
 24 metadata), videos (including metadata), visual images, documents,  
 25 spreadsheets, address lists, contact lists or communications of any type  
 26 which could be used to identify the user and or their location.
- 27 (b) Records relating to who created, used, or communicated with the user ID,  
 28 including records about their identities and whereabouts.

- 1 (c) All subscriber records associated with the Subject Accounts, including  
2 name, address, local and long distance telephone connection records, or  
3 records of session times and durations, length of service (including start  
4 date) and types of service utilized, telephone or instrument number or other  
5 subscriber number or identity, including any temporarily assigned network  
6 address, and means and source of payment for such service including any  
7 credit card or bank account number.
- 8 (d) Any and all other log records, including IP address captures, associated  
9 with the Subject Accounts;
- 10 (e) Any records of communications between Facebook and any person about  
11 issues relating to the account, such as technical problems, billing inquiries,  
12 or complaints from other users about any of the Subject Accounts. This is  
13 to include records of contacts between the subscriber and the provider's  
14 support services, as well as records of any actions taken by the provider or  
15 subscriber as a result of the communications.
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**CERTIFICATE OF AUTHENTICITY OF DOMESTIC BUSINESS  
RECORDS PURSUANT TO FEDERAL RULE OF EVIDENCE 902(11)**

I, \_\_\_\_\_, attest, under penalties of perjury  
under the laws of the United States of America pursuant to 28 U.S.C. § 1746, that the  
information contained in this declaration is true and correct. I am employed by  
Facebook, and my official title is \_\_\_\_\_. I am a custodian  
of records for Facebook. I state that each of the records attached hereto is the original  
record or a true duplicate of the original record in the custody of Facebook, and that I am  
the custodian of the attached records consisting of \_\_\_\_\_ (pages/CDs/kilobytes). I  
further state that:

- a. all records attached to this certificate were made at or near the time of the  
occurrence of the matter set forth, by, or from information transmitted by, a person with  
knowledge of those matters;
- b. such records were kept in the ordinary course of a regularly conducted business  
activity of Facebook; and
- c. such records were made by Facebook as a regular practice.

I further state that this certification is intended to satisfy Rule 902(11) of the  
Federal Rules of Evidence.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature